

REMARKS

Claims 1-16 are pending.

Claims 7, 10-11, and 13-14 are rejected under 35 USC 112 for allegedly ambiguous use of the terms "effectively" and "pane." In the above Amendment, the term "effectively" has been removed from claim 7 (claim 18 has been withdrawn). Removal of the term "effectively" is made to overcome the 35 USC 112 rejection, but shall not affect the claim scope.

Further, references to "the second pane" in claims 10-11 have been changed to "the lower pane" to connect the term to element 60 (as distinct from "pane" 50) in the Figures; however, use of the term "lower" is here used merely to distinguish the element semantically from the "pane" recited in claim 1, and does not set forth any physical limitation.

Claim 15 is rejected under 35 USC 112 for allegedly ambiguous use of the term "optically equivalent." Applicant here stipulates that the term shall mean "having substantially identical optical properties, such as in terms of overall refraction and/or transmissivity."

Claims 1-2, 4, and 6-16 are rejected under 35 USC 102(e) as anticipated by Suzuki. All of the claims in this rejection are dependent from claim 1, which reads as follows, with emphases added:

1. An apparatus for recording images on sheets, comprising:

an image receptor, disposed in a main body of the apparatus;

a document handler, for conveying each of a set of sheets past the image receptor, the **document handler being movably mounted relative to the main body of the apparatus**; and

a light-transmissive **pane fixedly mounted relative to the document handler**, and operatively disposed between a sheet and the image receptor when the document handler is moving the sheet past the image receptor.

In overview, taking a typical office copier as an example embodiment, a document handler is *movably* mounted to the main body of the copier, in the sense that it can be "flipped up," such as to expose a larger platen. One novelty of the claimed invention is that a light-transmissive pane is *fixedly mounted relative to the document handler*, so that, for instance, when the document handler is flipped up, the pane moves with the document handler, as opposed to staying with the main body of the copier. This principle is clearly seen in FIG. 2 as filed, where pane 50 is clearly attached to, and moves with, the body of document handler 10, as document handler 10 is lifted away from main body (such as of a copier) 20. As stated in paragraph 0011 of the Specification as filed, "Pane 50 is rigidly attached to document handler 10, and when the document handler 10 is moved away from the main body 20 (such as to expose main platen 30), the pane 50 travels with document handler 10. This arrangement is in contrast with [USP 6,593,995], in which sheets in the document handler slide against a small platen which is mounted on the main body of the scanner."

The rejection points to the "reading window" 13 of Suzuki. However, there is no disclosure in Suzuki that reading window 13 is, as in claim 1, "fixedly mounted" to the document handler generally indicated as 28. In other words, if document handler 28 is lifted up to expose document glass 12, reading window 13 stays with the main body of the machine, next to glass 12, as described at column 2, lines 47-54. (The reading pane 13 of Suzuki is really analogous not to pane 50 in Fig. 2 as filed, but rather to lower pane 60, which stays with the body of the machine.) Clearly, reading window 13 of Suzuki is *not* attached to or lifted up with document handler 28, and for this reason claim 1, along with its dependent claims, is not anticipated by Suzuki.

Applicant also points to another embodiment in Suzuki, in FIG. 9, where a lens 70 is disposed between reading glass 13 and roller 48 of document feeding unit 31; this arrangement is described in detail at column 6, lines 35-45 of Suzuki. However, once again, there is no disclosure that lens 70 is, as in claim 1, "fixedly mounted" to the document feeding unit 31; i.e., if unit 31 is lifted up, there is no evidence that lens 70 is lifted up with it. For this reason claim 1, along with its dependent claims, is once again not anticipated by Suzuki.

Claims 3 and 5 are rejected under 35 USC 103(a) over Suzuki and further in view of Nakano et al. Whatever the disclosure of Nakano et al., these claims are deemed allowable as being dependent from claim 1. The claims are therefore in condition for allowance.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he is hereby requested to call the undersigned attorney at (585) 423-3811, Rochester, NY.

Respectfully submitted,

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